

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

<p>In re:</p> <p>HAVERHILL TECHNOLOGY GROUP, INC., Debtor.</p>	<p>Chapter 7</p> <p>Bankruptcy Case No. 03-43988-JBR</p>
<p>REPUBLIC BANK, INC., and TETRA FINANCIAL GROUP, L.L.C., Plaintiffs</p> <p>vs.</p> <p>DAVID M. NICKLESS; HAVERHILL TECHNOLOGY GROUP, INC.; and JOHN DOES I through V; Defendants.</p>	<p>Adv. Pro. No. 06-04197</p> <p>Civil Action No. 4:09-cv-40133-GAO</p>

**JOINT MOTION FOR AN EXPEDITIOUS HEARING SCHEDULE AND DECISION ON
MOTIONS IN LIMINE**

Plaintiff Tetra Financial Group, L.L.C. (“Tetra”) and defendant David Nickless, Esq. (“Nickless”) jointly move for the Court to expeditiously schedule oral argument on and decide the parties’ motions in limine, notwithstanding the rescheduling of the trial of this case to June 2010. In support of this motion, the parties state the following.

1. The Court originally scheduled the trial of this action for March 15, 2010. On March 8-9, 2010, Nickless filed certain motions *in limine*. On March 12, 2010, the Court entered an Order rescheduling the trial for June 2010. Tetra may also file its own motions *in limine*.

2. Because the trial has been rescheduled, Tetra and Nickless stipulate that Local Rule 7.1(B)(2) governs the filing deadline for Tetra’s oppositions to Nickless’s motions *in limine*. The deadline for Tetra’s oppositions falls on March 23, 2010. Tetra requests an

extension until March 30, 2010, and Nickless assents to that request. The deadline for Nickless to oppose any motions *in limine* filed by Tetra will be governed by the Local Rules.

3. The parties jointly request that the Court schedule a hearing and rule on the motions *in limine* expeditiously after Tetra's filing deadline because the Court's decision on those motions may have significant impact on the issues and evidence of the case. The Court's decisions on these motions well prior to trial would greatly aid the parties assessment of the case for settlement. The Court's advance rulings would also permit the parties to tailor their trial preparations to conform with the Court's Orders.

WHEREFORE, Tetra requests that the Court extend its deadline to file oppositions to Nickless' motions *in limine* until March 30, 2010, and the parties to this action respectfully request that the Court expeditiously hear oral argument and decide the parties' motions *in limine* well in advance of the rescheduled trial date.

Respectfully Submitted,
TETRA FINANCIAL GROUP, L.L.C.
By its attorneys:

/s/ James B. Dolan (by RVF)
James B. Dolan BBO# 127640
jamesd@dolparlaw.com
Lawrence H. Behrens
lbehrens@cogway.com
Cogavin & Waystack
One Center Plaza
Suite 310
Boston, MA 02108

Date: March 18, 2010

Respectfully Submitted,
DAVID M. NICKLESS,
By his attorneys

/s/ R. Victoria Fuller
Edward S. Cheng BBO# 634063
escheng@sherin.com
Debra Squires-Lee BBO# 633619
dsquireslee@sherin.com
R. Victoria Fuller BBO# 666494
vfuller@sherin.com
Sherin and Lodgen LLP
101 Federal Street
Boston, MA 02110
617-646-2000

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent out electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

DATE: March 18, 2010

/s/ R. Victoria Fuller
R. Victoria Fuller